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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,173	12/23/2005	Bizhan Rahimzadeh	J318-187US	8901
21706 7590 09/08/2008 NOTARO AND MICHALOS 100 DUTCH HILL ROAD SUITE 110 ORANGEBURG, NY 10962-2100			EXAMINER TAHA, SHAQ	
			ART UNIT 2146	PAPER NUMBER
			MAIL DATE 09/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,173

Applicant(s)

RAHMZADEH, BIZHAN

Examiner

SHAQ TAHA

Art Unit

2146

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

This is a Non-final action for application number 10/533,173 filed on 12/23/2005. Claims 1 – 11 are currently pending and have been considered below. Claims 1 and 11 are independent claims.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/533,173, filed on 10/31/2003.

Drawings

The disclosure is objected to because of the following informalities: The specification on page 4 discusses figures one and two, wherein there were no figures submitted with this application.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burk et al. (US 2003/0074250), in view of Wildman et al. (US 2004/0193449).

Regarding claim 1, Burk et al. teaches a data handling system for multi-user transactions comprising a central data processing device incorporating a data store structured in accordance with a predetermined progressive transaction involving cooperation between users, **[global forecast is identified for a plurality of outlets of a supply chain and then stored in memory, wherein the global forecast is handling the data, wherein the data is stored in memory, (Burk et al., Paragraph 6, Page 1)],**

a plurality of data access interfaces for the device for the respective users, **[the supply chain management system integrates various components, which may include: In-Retailer Systems, Retailer/Distributor Electronic Interface, and Supplier/Distributor Electronic Interface, (Burk et al., Paragraph 696, Page)],**

with defined access privileges, **[Reference to policy for access rights and privileges for requested class of user, wherein each user has an access privilege using their own device, (Burk et al., Paragraph 696, Page 34)],**

Burk et al. fails to teach that at least some interfaces being read/write interfaces whereby data can be read from and written to the said store in relation to predetermined stages of the said transaction in accordance with the respective said privileges,

Wildman et al. teaches that each of the plurality of client devices includes an interface configured to read information from the plurality of tags and write information

for storage on the plurality of tags, **(Wildman et al., Paragraph 20, Page 2)**, to provide a wholly integrated, universal communications, tracking, monitoring and control system for a healthcare facility, **(Wildman et al., Paragraph 4, Page 1)**,

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Burk by including that each of the plurality of client devices includes an interface configured to read information from the plurality of tags and write information for storage on the plurality of tags, **(Wildman et al., Paragraph 20, Page 2)**, to provide a wholly integrated, universal communications, tracking, monitoring and control system for a healthcare facility, **(Wildman et al., Paragraph 4, Page 1)**.

Regarding claim 2, a system according to claim 1 wherein there are different said defined access privileges giving access to different data, **[The actual data to collect may differ for the different types of applications and different types of access changes made within the portal, (Burk et al., Paragraph 726, Page 35)]**.

Regarding claim 3, a system according to claim 1 wherein some define access privileges give access to shared data, **[The advantages of being able to share and update a common data base at the convenience of all users provides enhanced coordination between all participants, (Burk et al., Paragraph 300, Page 10)]**.

Regarding claim 4, a system according to claim 1 incorporating means for providing data output as hard copy documentation, **[Note that data on individual tabs can be printed using the print option on the toolbar for that specific tab, wherein printing data outputs a hard copy, (Burk et al., Paragraph 2081, Page 90)].**

Regarding claim 5, a system according to claim 1 incorporating means for bidirectional exchange of said data with a separate user data handling system, **[The supply chain member has very little control over their data in this scenario, and the supply chain coordinator has a very high management overhead in this data exchange, wherein chain member is a separate handling system, (Burk et al., Paragraph 1498, Page 63)].**

Regarding claim 6, a system according to claim 5 wherein the user system comprises a hand held or mobile device, **[Coupled to the network 4404 is a plurality of computers which may take the form of desktop computers 4406, lap-top computers 4408, hand-held computers 4410 (including wireless devices 4412 such as wireless PDA's or mobile phones), or any other type of computing hardware/software, (Burk et al., Paragraph 418, Page 17)].**

Regarding claim 7, a system according to claim 1 structured for multiple said progressive job transactions, **[One major issue may be managing a mission-critical network environment where users can execute transactions, (Burk et al.,**

Paragraph 1572, Page 67)].

Regarding claim 8, a system according to claim 1 when used for a said transaction which constitutes forwarding of a freight consignment between destinations passing through the hands of different intermediaries, **[FIG. 206 is a flowchart of a process for managing freight in a supply chain management framework, (Burk et al., Paragraph 219, Page 6)]**.

Regarding claim 9, a system according to claim 1 used for a said transaction which constitutes a legal transaction related to the resolution of a problem with different parties working together, **[When any compliance report is unsatisfactory, distributors are to provide action plans on resolution to Retailer Management, the Distribution Business Unit and the Local Distribution Committees, (Burk et al., Paragraph 2467, Page 105)]**.

Regarding claim 11, a method of tracking movements of freight consignments under the control of a plurality of separate parties wherein each freight consignment has a respective set of data stored at a central data store, **[FIG. 6 is a flowchart of a process for tracking a performance of distributors, (Burk et al., Paragraph 14, Page 1), The primary element of forecasting is the communication of product movement throughout the system, (Burk et al., Paragraph 359, Page 13)]**,

and each party has access to the data store for purposes of reading and writing to the data set in accordance with a respective set of permissions, **[Access Control Lists manage the resources each user or user group can access, as well as the level of access such as read, write or Execute, (Burk et al., Paragraph 1326, Page 54)]**.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burk et al. (US 2003/0074250), in view of Wildman et al. (US 2004/0193449), and further in view of Sforzo et al. (US 2007/0179877).

Regarding claim 10, The modified Burk et al. teaches a system, method and computer program product are disclosed for collaborative forecasting utilizing a supply chain management framework. A global forecast is identified for a plurality of outlets of a supply chain and then stored in memory, **(Burk et al., Paragraph 6, Page 1)**,

The modified Burk et al. fails to teach that the transaction constitutes a public project related to construction work with different parties working together,

Sforzo et al. teaches when a contractor, builder or supplier etc. wishes to bid on a construction project or submit a bid in connection with a governmental purchase of equipment or supplies the entity seeking bid typically requires that for a bidder to be considered for the job a bid bond must be submitted with the bid, **(Sforzo et al., Paragraph 4, Page 1)**, to the surety can rescind the agent's authorization at any time

from the website, thus preventing unauthorized bonds being issued, (**Sforzo et al., Paragraph 76, Page 5**),

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the modified Burk et al. by including that that the transaction constitutes a public project related to construction work with different parties working together wherein when a contractor, builder or supplier etc. wishes to bid on a construction project or submit a bid in connection with a governmental purchase of equipment or supplies the entity seeking bid typically requires that for a bidder to be considered for the job a bid bond must be submitted with the bid, (**Sforzo et al., Paragraph 4, Page 1**), to the surety can rescind the agent's authorization at any time from the website, thus preventing unauthorized bonds being issued, (**Sforzo et al., Paragraph 76, Page 5**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Shaq Taha** whose telephone number is 571-270-1921. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Pwu** can be reached on 571-272-6798.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free?).

/S. T./

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146